IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

Bail Appl..No. 7082 of 2007()

CMP.8934/2007 of J.M.F.C.-I,KOTTARAKKARA
CR.NO.60/07 OF EZHUKONE EXCISE RANGE

.....

PETITIONER : ACCUSED NO.2:

BIJESH, S/O.NATARAJAN,
VALUVILA VEEDU, THEKKEMURI DESOM,
KIZHAKKE KALLADA VILLAGE, KOLLAM.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENTS: COMPLAINANT:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7082 of 2007

Dated this the 23rd day of November, 2007

ORDER

Application for regular bail. The petitioner is the 2nd accused. He along with co-accused faces allegations under the Kerala Abkari Act. 100 litres of wash and 30 litres of spirit were allegedly transported by the accused in a vehicle on 04.10.07. The petitioner was arrested and continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner, who has remained in custody from 04.10.07, can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-